

Miami Attorneys Helped Write New Anti-Hazing Law Keyed to 911 Calls

by Raychel Lean

Florida Gov. Ron DeSantis signed “Andrew’s Law” into being Tuesday, approving efforts by Senate Bill 1080 to expand the crime of hazing to cover fraternity and sorority leaders who planned or recruited for hazing rituals, even if they didn’t personally attend.

Miami trial lawyers David Bianchi, Michael Levine and Stephen Cain of Stewart Tilghman Fox Bianchi & Cain helped write the law, prompted by the death of 20-year-old Florida State University student Andrew Coffey. He died of alcohol poisoning at a Pi Kappa Phi fraternity hazing ritual, after being pressured into downing a full bottle of 101-proof Wild Turkey Bourbon that was taped to his hand on Nov. 3, 2017.

Bianchi said the need for change became apparent when prosecutors in Coffey’s case found that some of the leaders who’d planned the fraternity’s



Stephen Cain and Michael Levine of Stewart Tilghman Fox Bianchi & Cain, Sandy Coffey and Tom Coffey, Chief Legislative Affairs Officer for Florida State University Kathy Mears, and David Bianchi of Stewart Tilghman Fox Bianchi & Cain.

annual Big Brother Night were not there when it happened, so they couldn’t be charged with a crime.

“The essence of Big Brother Night is the Big Brother gives his pledge their family bottle, and each pledge gets a different kind of bottle,” Bianchi said.

“Somebody might get bourbon, one might get vodka, one might get gin. ... But the expectation is that you will drink the entire bottle.”

The law also means that whoever calls 911 to help a hazing victim will not be prosecuted, as long as they meet certain criteria.

They must be the first to call, give their name and stay on the scene to help the victim.

According to a civil lawsuit filed by Coffey's parents, not one of the estimated 90 students at the event with Coffey called 911 when he became unwell after drinking the bourbon. One student told emergency services the next morning, but by then Coffey was dead.

"So many people were there that could have done the right thing, that could have prevented this, and nobody picked up the phone," Levine said.

Bianchi and Levine litigated the civil case against the fraternity and those involved. It settled confidentially.

'IT'S WORTH THE PRICE'

When Bianchi testified before the Florida Legislature, he said there was concern about potentially giving immunity to the person who hazed the victim.

"The answer is 'Yes, you would be. But it's worth the price,' " Bianchi said. "Because ask any parent of a college student who died in a hazing incident and they will always tell you they'd rather have their son back or their daughter

than to prosecute the person who did it."

Levine said Coffey's family was instrumental in getting the law passed, as he'd told family members on day one of the civil suit that the goal was to effect legislative change.

"Tom and Sandy Coffey are unbelievable people who have been through an unspeakable tragedy and it's been an honor to work with them on this mission," Levine said.

Sen. Lauren Book and Rep. Chip LaMarca sponsored the bill, which Levine hopes will act as an incentive for people to "do the right thing" by seeking immediate help.

Several fraternity members were sentenced to prison for their role in Coffey's hazing under Florida's Chad Meredith Act, an anti-hazing law named after a University of Miami student who drowned in 2001 after binge drinking on campus. Bianchi also represented Meredith's parents in a civil suit that resulted in a \$14 million verdict.

Bianchi said Meredith's case was something he "really took personally" and became the catalyst to his efforts.

"I promised that family that I would do more for them than just collect money," Bianchi said. "I would try to get the law changed."

With a son heading to college next year, Bianchi can relate.

"I certainly hope he never gets caught up in a hazing incident," Bianchi said. "But if he does, wouldn't it be something if his life was saved because of this new law?"

Bianchi will be speak to various fraternity and sorority members this year about Andrew's Law, as he worries hazing is becoming more frequent in Florida, despite having been an issue for more than 50 years.

"Anytime you put young people in a fraternity or a sorority situation," he said, "where they're away from home for the first time and there's very little adult supervision, and you throw alcohol into the mix and some ridiculous traditions into the mix, it's the perfect recipe for hazing to occur."

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